

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER WACHPO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/522,388
INTERNATIONAL APPLICATION NO. PCT/EP03/08121	INTERNATIONAL FILING DATE July 24, 2003	PRIORITY DATE CLAIMED July 26, 2002

TITLE OF INVENTION
INSTALLING A FILE SYSTEM IN A DATA CARRIER

APPLICANT(S) FOR DO/EO/US
Daniel CIESINGER and Gisela MEISTER

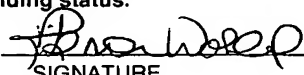
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 643650469 US
23. ☒ Other items or information:

Response to Notice to File Missing Requirements with Certificate of Express Mailing, Check, Return Receipt Postcard

U.S. APPLICATION NO (if known, see 37 CFR 1.53(a))		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/522,388		PCT/EP03/08121		WACHP005	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee				\$300	\$0.00
25. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).				\$100	\$0.00
All other situations.				\$200	
26. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations.				\$500	\$0.00
TOTAL OF 24, 25 and 26 =					\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).					\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00		\$0.00
Independent claims	- 3 =	0	x \$200.00		\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00					\$0.00
TOTAL OF ABOVE CALCULATIONS =					\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$0.00
SUBTOTAL =					\$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$0.00
TOTAL NATIONAL FEE =					\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +					\$40.00
TOTAL FEES ENCLOSED =					\$170.00
				Amount to be	\$
				Amount to be	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$170.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500805/WACH05</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Rick von Wohld, Esq. Martine Penilla & Gencarella, LLP 710 Lakeway Drive, Suite 200 Sunnyvale, California 94085 Phone: (408) 749-6900; Fax: (408) 749-6901 CUSTOMER NO. 25920</p> <p> SIGNATURE Rick von Wohld, Esq. NAME 48,018 REGISTRATION NUMBER</p>					

08/31/2005
01 FC:1617

GFRY1 00000114 10522388

130.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	
)	Examiner: Not Assigned
Daniel CIESINGER et al.)	
)	Art Unit: Not Assigned
Application No. 10/522,388)	
)	Docket No. WACHP005
International Filing Date: July 24, 2003)	
)	Date: August 26, 2005
For: INSTALLING A FILE SYSTEM)	
IN A DATA CARRIER)	

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached herein are being deposited with the United States Postal Service on August 26, 2005 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, Mailing Label Number EV643650469US, addressed to the Commissioner for Patents, Mail Stop PCT, Designated/Elected Office (DO/EO/US), Alexandria, VA 22313-1450.


Diane Schwanbeck

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

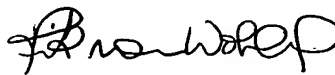
Commissioner for Patents
Mail Stop: PCT (DO/EO/US)
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated August 2, 2005, Applicants hereby attach 1) the copy of the Notice to be returned with this response; 2) a combined Declaration and Power of Attorney document; 3) an Assignment document for recording (including an Assignment Recordation Cover Sheet); and 4) an Information Disclosure Statement with a copy of the International Preliminary Examination Report and two (2) cited references.

Also attached is our Check No. 14791 for \$170.00 in payment of the surcharge and Assignment Recordation fee. The Commissioner is authorized to charge any other fees that may be due to our Deposit Account No. 50-0805 (Order No. WACHP005).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP


Rick von Wohld, Esq.
Reg. No. 48,018

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 749-6900
Customer No. 25920



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,388	Daniel Ciesinger	WACHP005

25920
 MARTINE PENILLA & GENCARELLA, LLP
 710 LAKEWAY DRIVE
 SUITE 200
 SUNNYVALE, CA 94085

INTERNATIONAL APPLICATION NO.	
PCT/EP03/08121	
I.A. FILING DATE	PRIORITY DATE
07/24/2003	07/26/2002

CONFIRMATION NO. 8007

371 FORMALITIES LETTER



OC000000016603350

Date Mailed: 08/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/25/2005
- Copy of the International Search Report filed on 01/25/2005
- Copy of IPE Report filed on 01/25/2005
- Preliminary Amendments filed on 01/25/2005
- U.S. Basic National Fees filed on 01/25/2005
- Priority Documents filed on 01/25/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension, under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,388	PCT/EP03/08121	WACHP005

FORM PCT/DO/EO/905 (371- Formalities Notice)